

10 Re 76 763670 09 APR 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/019,805	Gerhard Mueller	7040-52

021324  
HAHN LOESER & PARKS, LLP  
TWIN OAKS ESTATE  
1225 W. MARKET STREET  
AKRON, OH 44313

INTERNATIONAL APPLICATION NO.	
PCT/EP00/06088	
I.A. FILING DATE	PRIORITY DATE
06/29/2000	06/29/1999

CONFIRMATION NO. 8808

371 FORMALITIES LETTER



\*OC000000007646362\*

Date Mailed: 03/18/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.** DV

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/019,805	PCT/EP00/06088	7040-52

FORM PCT/DO/EO/905 (371 Formalities Notice)

5000

IC20 Rec'd PCT/PTO 09 APR 2002

Practitioner's Docket No. 7040-52

PATENT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mueller, Gerhard; Helfman, Juergen

Application No.: 10/019.805

Group No.: Unknown

Filed: December 21, 2001

Examiner: Unknown

For: NEAR-OPTICAL EXAMINATION DEVICE

Box Missing Part

Assistant Commissioner for Patents

Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS  
-- NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed March 18, 2002.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is *mandatory*;  
Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

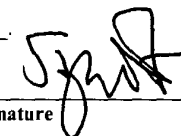
☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a)  
☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*  
G as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

Date: 3 APRIL 2002

  
Signature

Stephen L. Grant  
(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

## COMPLETION FEES

### III.

1.	Surcharge Fees Late payment of filing fee and/or late filing of original declaration or oath (37 C.F.R. Section 1.16(e))	\$130.00
2.	Assignment (See "ASSIGNMENT COVER SHEET")	\$40.00
	Total Completion Fees	\$170.00

## EXTENSION OF TIME

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

V. The total fee due is:

Completion fees	\$170.00
Extension fee (if any)	\$0.00
Total Fee Due	\$170.00

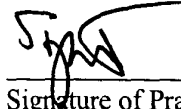
00000000 00000000  
00000000 00000000

**PAYMENT OF FEES**

VI. Attached is a check in the amount of \$170.00.

Date: 3 APRIL 2002

Reg. No.: 33,390  
Tel. No.: 330-864-5550  
Customer No.: 021324



\_\_\_\_\_  
Signature of Practitioner

Stephen L. Grant  
Hahn Loeser + Parks LLP  
Twin Oaks Estate  
1225 West Market Street  
Akron, OH 44313-7188